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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,374	09/08/2003	Gaston M. Barajas	DC-05152	9427

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HAMILTON & TERRILE, LLP
P.O. BOX 203518
AUSTIN, TX 78720

EXAMINER

YAARY, MICHAEL D

ART UNIT	PAPER NUMBER
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2193

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/657,374	Applicant(s) BARAJAS ET AL.	
	Examiner Michael Yaary	Art Unit 2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 02/27/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Detailed Action

1. Claims 1-30 are pending in the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Burkhardt et al. (hereafter Burkhardt)(US Pat. 6,823,508).
4. **As to claims 1, 11, and 21** Burkhardt discloses a method for automatically installing a software image onto an information handling system (abstract and column 2, line 67-column 3, line 8), the method comprising:
 - Reading an order for an information handling system (column 7, lines 31-34 and 222 of figure 6);
 - Reading an image manifest (column 3, lines 41-47; column 7, lines 35-37; and 224 of figure 6);

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Installing an image onto the information handling system as installed software (column 3, lines 63-66; 226 and 228 of figure 6); and

Automatically configuring the installed software (column 8, lines 48-49 and 230 of figure 6).

5. **As to claims 2, 12, and 22** Burkhardt discloses executing order specific customizations (column 1, line 66-column 2, line 4).
6. **As to claims 3, 13, and 23** Burkhardt discloses determining whether all base components of the order are present in the image (Column 8, lines 14-25 disclose determining if additional components are necessary, thus making sure all base components are there.).
7. **As to claims 4, 14, and 24**, Burkhardt discloses determining whether any subtract components are present in the image, and, if any subtract components are present, then removing the subtract components from the installed software while automatically configuring the installed software (Inherent in column 8, lines 14-25 as disclosed is determining if additional components are necessary. Thus, by being able to add necessary information or files to the base image, it is therefore, obvious that the reverse is possible as well.).

8. **As to claims 5, 15, and 25**, Burkhardt discloses determining whether any add components are present in the image; and, if any add components are present, then installing the add components from the specified image (column 8, lines 14-21).

9. **As to claims 6, 16, and 26** Burkhardt discloses the automatically configuring is performed at a manufacturing site (column 2, lines 13-15).

10. **As to claims 7, 17, and 27**, Burkhardt discloses the automatically configuring is performed at a customer site (column 2, lines 15-16)

11. **As to claims 8, 18, and 28**, Burkhardt discloses the automatically configuring enables the installing to be performed in a networkless factory environment (column 6, line 59-column 7, line 7 and process of figure 4).

12. **As to claims 9, 19, and 29** Burkhardt discloses the automatically configuring enables loading of an image directly from a non-volatile media (column 9, lines 15-26).

13. **As to claims 10, 20, and 30**, Burkhardt discloses the automatically configuring enables a customized to order process to be performed in a remote manufacturing facility (column 2, lines 13-15 and column 7, lines 23-33).

Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Yaary whose telephone number is (571) 270-1249. The examiner can normally be reached on Monday-Friday, 8:00 a.m - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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MENG-AI AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100